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SERIAL NUMBER 07/163,192 FILING DATE 10/03/87 FIRST NAMED INVENTOR BERNHAN J. FORMER'S DOCK 110
JPLB7-008

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EXAMINER KRZESNIK
ART UNIT 7 PAPER NUMBER 7
DATE MAILED: 02/05/90

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

- ☒ This application has been examined ☒ Responsive to communication filed on 12-1-89 ☐ This action is made final.
A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☒ Notice of References Cited by Examiner, PTO-892. 2. ☐ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1448. 4. ☐ Notice of Informal Patent Application, Form PTO-152
5. ☐ Information on How to Effect Drawing Changes, PTO-1474. 6. ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-4, 6-12, and 14-38 are pending in the application.
Of the above, claims 6-10, 14-18, and 24-36 are withdrawn from consideration.
2. ☒ Claims 5 and 13 have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-4, 11, 12, 19-23, 37, and 38 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____ Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under 35 parts Quayle, 1935 C.D. 11; 453 O.G. 215.
14. ☐ Other

1. Claims 1-4 11, 12, and 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

2. In claims 1 and 37 the structure or format of the claims is still confusing. If the claims are to be subdivided into parts a) and b) then the two parts should be parallel elements or divisions. The Examiner suggests moving "the logic for executing instructions comprises" from part a) into the preamble and have both a) and b) refer to the two means that comprise the logic.

3. In claim 11, it is unclear who or what is performing each of steps a)-d). Is it the computer, an operator, or some combination of both.

4. Claims 1-4, 11-12, 19-23, 37 and 38 are rejected under 35 U.S.C. 103 as being unpatentable over McAulay in view of Brown et al.

5. McAulay teaches a Parallel Processor Computer with Optical Switching very similar to Applicant's claimed computer. McAulay discloses the invention substantially as claimed including the ability to change or reconfigure the system dynamically in response to a changing environment. However, McAulay does not specifically disclose the system controller determining a "class" of each function for each instruction as is

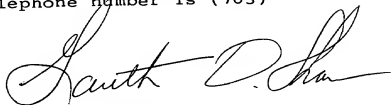
claimed. Brown et al. teach accessing instructions, determining for each a function and a class of each function in a data processor sequence control system (similar to McAulay's controller 46) for the purpose of more efficiently handling many different functions and element selections. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the controller¹⁰ with the instruction accessing/class determining abilities of Brown in order to more efficiently handle the many different functions and element selections in McAulay and thus form a system on which the claims read.

6. Applicant's arguments with respect to claims 1-4, 11-12, 19-23, 37 and 38 have been considered but are deemed to be moot in view of the new grounds of rejection.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin A. Kriess whose telephone number is (703) 557-8037.

Any inquiry of a general nature, or relating to the status of this application, should be directed to the Group receptionist whose telephone number is (703) 557-2878.



GARETH D. SHAW
SUPERVISORY PATENT EXAMINER
ART UNIT 237

KAK
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2/28/90